

**31A-35-702. Early surrender without cause.**

(1) The bail or bail bond premium shall be returned in full if a bail bond producer without good cause surrenders a defendant to custody before:

(a) the time specified in the undertaking of bail or the bail bond for the appearance of the defendant; or

(b) any other occasion where the presence of the defendant in court is lawfully required.

(2) As used in this section, "good cause" includes:

(a) the defendant providing materially false information on the application for bail or a bail bond;

(b) the court's increasing the amount of bail beyond sound underwriting criteria employed by:

(i) the bail bond producer; or

(ii) the bail bond surety;

(c) a material and detrimental change in the collateral posted by:

(i) the defendant; or

(ii) a person acting on the defendant's behalf;

(d) the defendant changing the defendant's address or telephone number without giving reasonable notice to:

(i) the bail bond producer; or

(ii) the bail bond surety;

(e) the defendant commits another crime, other than a minor traffic violation, as defined by department rule, while on bail;

(f) failure by the defendant to appear in court at the appointed time; or

(g) a finding of guilt against the defendant by a court of competent jurisdiction.

Amended by Chapter 298, 2003 General Session